

**OFFICE OF THE CHIEF OF POLICE**

**SPECIAL ORDER NO. 1**

**January 4, 2006**

**SUBJECT: POLICE CUSTODY OF HOSPITALIZED ARRESTEES**

**PURPOSE:** This Order revises the procedure for maintaining custody of hospitalized arrestees, and establishes procedures for contact visits while hospitalized at a location other than Los Angeles County-University of Southern California Medical Center (LAC-USCMC).

**PROCEDURE:**

- I. MAINTAINING CUSTODY OF ARRESTEES WHO ARE HOSPITALIZED AT A LOCATION OTHER THAN THE JAIL WARD OF LAC-USCMC.** When it is determined that police custody of a hospitalized arrestee at a location other than the Jail Ward of LAC-USCMC is necessary, the concerned investigative watch commander shall provide an adequate number of officers to maintain custody of the arrestee. If the investigation falls under the purview of a specialized division, the nearest Area or the Area in which the hospital is located shall be responsible for providing the officers.

**Note:** Specialized divisions are not precluded from providing personnel to maintain custody of a hospitalized arrestee when necessary. When extenuating circumstances exist, the Area Commanding Officer responsible for the hospital detail shall be the final authority.

- II. CONTACT VISITS WITH ARRESTEES WHO ARE HOSPITALIZED AT A LOCATION OTHER THAN THE JAIL WARD OF LAC-USCMC.** The safety of the guarding officers, staff, patients, visitors and the arrestee shall be of the utmost importance when considering contact visits with a hospitalized arrestee.

- A. News Media, Bail Bonds Agents, Clergy and Family Contact Visits.** Contact visits by the news media and bail bonds agents shall generally be prohibited. Contact visits with clergy and family members shall be permitted only when the attending physician has determined that the arrestee is likely to die as a result of his/her condition, and supervisory advice and approval has been obtained.

**Note:** Whenever a contact visit is permitted, the visitor must submit to a pat-down frisk search of their person and any accompanying property.

**B. Attorney Contact Visits.** Contact visits between the attorney and the hospitalized arrestee are allowed when:

- \* The officers are able to maintain visual contact with the arrestee and attorney during the visit;
- \* The attorney possesses a valid Bar Association identification card from the state in which he/she is licensed to practice;
- \* The attorney submits to a pat-down frisk search and a search of their briefcase, bag, and any other containers in their possession (the scope of the search is for weapons and/or contraband only);
- \* The medical staff is not concurrently treating the arrestee; and,
- \* Supervisory approval has been obtained.

**Note:** A person verified as an attorney investigator, who is acting on behalf of the arrestee's attorney, must be afforded the same rights and privileges as the attorney.

The Department is not obligated to allow hospital contact visits between the attorney and arrestee whenever an extreme safety concern exists that is clearly articulable. Alternate means, such as telephonic contact, may be considered when:

- \* Officers are able to maintain visual contact with the arrestee during use of the telephone; and,
- \* Medical staff is not concurrently treating the arrestee.

**Note:** When it is determined that the Department is restricting personal contact between the arrestee and his/her attorney, notification shall immediately be made to the Commanding Officer, Detective Bureau.

**III. Watch Commander's Responsibilities.** The watch commander shall assign an adequate number of officers to maintain custody of the arrestee. The assigned officers shall be in plain-clothes when practicable. The names of the officers, their unit designation, and the hospital name and room number, shall be documented on the Watch Commander's Daily Report, Form 15.80.0, along with the arrestee's name and booking number.

When the hospital is located outside the Area having investigative responsibility, the watch commander shall notify the Area or law enforcement agency having jurisdiction over the hospital.

**IV. Officer's Responsibilities.** The assigned officers shall document the following in their Daily Field Activities Report (DFAR), Form 15.52.0:

- \* The name and address of the hospital in the Location of Activities column;
- \* Write "Hospitalized Arrestee Detail" in the Type of Activity column; and,
- \* Write the arrestee's name, hospital room number, attending physician's name, and the arrestee's booking number in the Disposition column.

When a contact visit is requested, officers shall:

- \* Obtain approval from a supervisor and document the name of the supervisor in the DFAR; and,
- \* Document the date and time of the visit, arrestee's last name and booking number, visitor's name (company name if applicable) and relationship to the arrestee, and provide the information to the Jail Division in which the arrestee was either booked or absentee booked.

**V. Jail Division Responsibility.** When Jail Division is notified that a contact visit with a hospitalized arrestee has occurred, the Detention Officer shall document the visitation information on a Prisoner Visitation and Temporary Sign-Out Record, Form 06.31.0.

**VI. Supervisor's Responsibilities.** When deciding whether to allow contact visits, supervisors shall consider the following:

- \* The type and severity of the crime for which the arrestee is in custody;
- \* The arrestee's past criminal history;
- \* The risk the arrestee poses to the guarding officers, staff, and visitors; and,
- \* The level of security afforded during the visit.

**AMENDMENT:** This Order amends Section 4/602.10 of the Department Manual.

**AUDIT RESPONSIBILITY:** Each bureau commanding officer shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

WILLIAM J. BRATTON  
Chief of Police

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